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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,047	11/16/2001	Tetsuro Shida	0925-0188P	7943

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EXAMINER

JONES, HEATHER RAE

ART UNIT	PAPER NUMBER
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2621

DATE MAILED: 07/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Drawings

1. Figure 12 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 7, and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Okada (U.S. Patent 6,934,818).

Regarding to claim 1, Okada discloses an MPEG data recorder comprising: an interface means for receiving a data packet from a digital transmission line transmitting MPEG data in real time, and extracting a predetermined MPEG data from a received packet to output it as a data signal (col. 1, lines 49-55; col. 3, lines 54-62; col. 13, lines 61-65); a data rate detector means for determining a data rate of MPEG data based on a valid data signal is outputted data period, during which the from the interface means; and a recording mode selector means for selecting a recording mode based on the determined data rate (col. 12, lines 45-67).

Regarding claim 2, Okada discloses all the limitations as previously discussed with respect to claim 1 including that the interface means outputs a transmission control signal when the interface means outputs a data signal; and the data rate detector means determines a percentage occupied by the valid data period, by detecting the transmission control signal (col. 12, lines 45-59).

Regarding claim 7, Okada discloses all the limitations as previously discussed with respect to claim 1 including that the interface means is an IEEE 1394 interface unit, which performs an isochronous communication through an IEEE 1394 link, and the interface means extracts MPEG data of a predetermined channel from the received packet (col. 1, lines 49-55; col. 3, lines 54-62; col. 13, lines 61-65).

Regarding claim 8, grounds for rejecting claim 7 apply for claim 8 in its entirety.

Allowable Subject Matter

5. Claims 3-6 and 9-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: Prior art fails to teach or fairly suggest an MPEG data recorder comprising:

- a. An interface means that outputs a data signal as an MPEG packet having a predetermined amount of data, and outputs a synchronizing signal in synchronization with the MPEG packet; and a data rate detector means that counts the synchronizing signals outputted in a predetermined duration (claims 3, 9, and 12).
- b. A data rate detector means that adds up valid data periods in a predetermined period for detection including two or more valid data periods, and detects the data rate of MPEG data based on the added-up value (claims 4, 5, and 6).
- c. A data rate detector means that adds up valid data periods in a predetermined period for detection including two or more isochronous cycles, and detects the data rate of MPEG data based on the added-up value (claims 10 and 11).

Conclusion

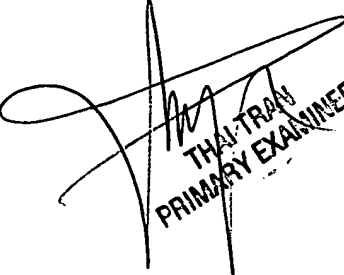
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather R. Jones whose telephone number is 571-272-7368. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Heather R Jones
Examiner
Art Unit 2621

HRJ
June 13, 2006


THAI TRAN
PRIMARY EXAMINER